

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF CALIFORNIA

In re

MISTY ALLARD,

No. 07-11487

Debtor(s).

MISTY ALLARD,

Plaintiff(s),

v.

A.P. No. 11-1313


G & P ENTERPRISES, LLC, et al.

Defendant(s).

Tentative Decision

Contrary to the motion for attorneys' fees, this was not an action to enforce CC& Rs; it was a federal action to determine the dischargeability of a debt. The state statutes cited by defendants are not applicable, and nothing in the cited CC&Rs appears to require attorneys' fees. See *In re Foster*, 435 B.R. 650 (9th Cir.BAP 2010). Moreover, there appears to have been no compliance with Rule 7008(b) of the Federal Rules of Bankruptcy Procedure. Accordingly, the court is not inclined to grant the motion for an award of attorneys' fees.

Dated: September 5, 201


Alan Jaroslovsky
U.S. Bankruptcy Judge